

FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MAR 11 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY

LA UNION DEL PUEBLO ENTERO, et al., §
 §
 §
v. §
 §
GREGORY ABBOTT, et al. §
 §
 §

5:21-CV-0844-XR
(Consolidated Cases)

**DEFENDANT TRAVIS COUNTY DISTRICT ATTORNEY JOSÉ GARZA'S
UNOPPOSED THIRD MOTION FOR EXTENSION OF TIME TO FILE ANSWER TO
PLAINTIFFS' LA UNIÓN DEL PUEBLO ENTERO, FRIENDSHIPWEST BAPTIST
CHURCH, THE ANTI- DEFAMATION LEAGUE AUSTIN, SOUTHWEST, AND
TEXOMA REGIONS, SOUTHWEST VOTER REGISTRATION EDUCATION
PROJECT, TEXAS IMPACT, MEXICAN AMERICAN BAR ASSOCIATION OF
TEXAS, TEXAS HISPANICS ORGANIZED FOR POLITICAL EDUCATION, JOLT
ACTION, WILLIAM C. VELASQUEZ INSTITUTE, FIEL HOUSTON, INC., AND
JAMES LEWIN'S SECOND AMENDED COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF [ECF NO. 208]**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant Travis County District Attorney José Garza ("District Attorney Garza") and files this Unopposed Third Motion for Extension of Time to File Response to LUPE Plaintiffs' Second Amended Complaint (ECF No. 208) and in support thereof states as follows:

I.

LUPE Plaintiffs filed their Second Amended Complaint for Declaratory and Injunctive Relief on January 25, 2022 (ECF No. 208). District Attorney Garza was served with the Second Amended Complaint on February 8, 2022. District Attorney Garza completed a Waiver of Service [ECF No. 236], pursuant to which, by agreement, the original deadline for his response

to the Second Amended Complaint was February 25, 2022. The Court granted District Attorney Garza's (First) Unopposed Motion for Extension of Time (ECF No. 288), and Second Unopposed Motion for Extension of Time (ECF. No. 312), making his current answer due March 11, 2022.

District Attorney Garza respectfully requests that the Court grant a three (3) business-day extension of time to file his Response to LUPE Plaintiffs' Second Amended Complaint. District Attorney Garza does not seek this motion for delay, but for good cause. This motion will not prejudice Plaintiffs as they do not oppose the relief requested. This extension is necessary to permit District Attorney Garza and his counsel sufficient time to further explore the appropriate responsive pleading to be filed on behalf of District Attorney Garza at this time. The extension of time is warranted in the interest of justice, and to conserve the resources of the parties.

Pursuant to Local Rule CV-7(i), counsel for District Attorney Garza has conferred with Plaintiffs' counsel regarding the relief requested in the Motion. Plaintiffs do not oppose this extension.

II. CONCLUSION

For the foregoing reasons, the Court should grant District Attorney Garza's unopposed motion for extension of time for his Response, up to and including March 16, 2022.

Respectfully submitted,
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**ATTORNEYS FOR DEFENDANT
JOSÉ GARZA, IN HIS OFFICIAL CAPACITY
AS TRAVIS COUNTY DISTRICT ATTORNEY**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this motion was served through the Court's CM/ECF Document Filing System upon each attorney of record and the original upon the Clerk of Court on this the 11th day of March, 2022.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
Assistant County Attorneys

CERTIFICATE OF CONFERENCE

I certify that on March 11, 2022, counsel for Travis County District Attorney José Garza conferred with Plaintiffs' counsel, regarding the filing of Travis County District Attorney José Garza's Unopposed Third Motion for Extension of Time to File Response to Plaintiffs' Complaint. Counsel for Plaintiffs indicated they are UNOPPOSED to this motion.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
Assistant County Attorney

UNITED STATES DISTRICT COURT
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ORDER

Before the Court is Defendant Travis County District Attorney José Garza's Unopposed Third Motion for Extension of Time to File a Response to OCA-Greater Houston Plaintiffs' Second Amended Complaint for Declaratory and Injunctive Relief. After careful consideration of the Motion, Plaintiffs' response, if any, and the pleadings filed by the parties, the Court is of the opinion that the Motion has merit and should be **GRANTED**.

Accordingly, it is ORDERED that Defendant Travis County District Attorney José Garza shall file a response to OCA-Greater Houston Plaintiffs' Second Amended Complaint on or before **March 17, 2022**.

SIGNED this _____ day of _____, 2022.

UNITED STATES DISTRICT JUDGE